

DISTRICT OF COLUMBIA  
DEPARTMENT OF MOTOR VEHICLESNOTICE OF PROPOSED RULEMAKING

The Director of the Department of Motor Vehicles, pursuant to the authority set forth in Section 1825 of the Department of Motor Vehicles Establishment Act of 1998, effective March 26, 1999 (D.C. Law 12-175; D.C. Official Code § 50-904); §§ 7 and 13 of the District of Columbia Traffic Adjudication Act of 1925, effective March 3, 1925 (43 Stat. 1125; D.C. Official Code §§ 50-1401.01 & 50-1403.01); Regulation No. 72-13, effective June 30, 1972 (32 DCRR; 18 DCMR §§ 100.4, 302, 304, 306.7, 413.4, 1008.5); Section 902 of the Fiscal Year 1997 Budget Support Act of 1996, effective April 9, 1997 (D.C. Law 11-198; D.C. Official Code § 50-2209.02); § 4(d)(3) of the Compulsory/No-Fault Motor Vehicle Insurance Act of 1982, effective September 18, 1982 (D.C. Law 4-155; D.C. Official Code § 31-2403(d)(3)); and Mayor's Order 03-58, effective April 21, 2003, hereby gives notice of the intent to adopt the following rulemaking that will amend Chapters 1, 3, 4, 8, 10 and 26 of Title 18 of the District of Columbia Municipal Regulations (DCMR) (Vehicles and Traffic). The proposed rulemaking would conform the regulations to the graduated license law with respect to the operation of motorcycles, clarify the type of examinations the Director may require for license holders, clarify that the owner of a vehicle receiving a photo radar ticket must provide accurate information if he or she identifies the operator, amend the existing photo radar regulations to accommodate digital photo radar devices, restate and clarify that a revocation or suspension stay shall be lifted if the person fails to appear for a scheduled hearing, authorize reinstatement of a license to be conditioned upon the successful completion of an alcohol or drug abuse program, require insurance companies to report insurance cancellations electronically, eliminate a duplicative insurance reporting requirement, correct a codification error, and require social security numbers to be provided on registration applications. Final rulemaking action shall not be taken in less than thirty (30) days from the date of publication of this notice in the *D.C. Register*.

Title 18, DCMR, is amended as follows:

A. Chapter 1, ISSUANCE OF DRIVER'S LICENSES, is amended as follows:

- 1) Section 102, DRIVING UNDER INSTRUCTION: LEARNER'S PERMITS, subsection 102.4(a) is amended by striking the word "motorcycle,".
- 2) Section 109, DUPLICATE OR MODIFIED LICENSE, is amended by adding a new subsection 109.6, to read as follows:

109.6 No later than thirty (30) days after providing notice as required by §§ 109.4 or 109.5, the person must appear at the Department with supporting documentation, surrender their old license, and obtain a new license.

- 2) Section 111, RE-EXAMINATION REQUIREMENTS, is amended by adding a new subsection 111.6 to read as follows:

111.6 The examination provided for in § 111.1 may include, but is not limited to, a medical, road, or written examination.

- B. Chapter 3, CANCELLATION, SUSPENSION OR REVOCATION OF LICENSES, is amended as follows:

- 1) Section 306, PERIOD OF SUSPENSION OR REVOCATION, is amended by adding a new subsection 306.10 to read as follows:

306.10 Any applicant who was revoked pursuant to §§ 301 or 302 for an alcohol or drug related violation and who did not have a hearing before the Department on the grounds for that revocation, shall have completed a state-certified drug and/or alcohol counseling program, as applicable, prior to reinstatement, unless that person proves at a reinstatement hearing that their participation in such a program is not necessary.

- 2) Section 307, NOTICE OF SUSPENSION OR REVOCATION, subsection 307.4 is amended to read as follows:

307.4 The notice shall take effect within ten (10) days (fifteen (15) days if the person is a non-resident) unless that person files a written petition with the Director for a hearing in which the Director must prove sufficient grounds for the proposed action. The demand shall be filed in the manner prescribed in chapter 10. the filing of such a demand does not operate as a stay of such order when the order has been issued revoking or suspending a permit on account of mental or physical incapacity, for driving while the individual's blood contains .08% or more, by weight, of alcohol, or while .38 micrograms or more of alcohol are contained in 1 milliliter of the individual's breath, consisting substantially of alveolar air, or while the individual's urine contains .10% or more, by weight, of alcohol, or while under the influence of intoxicating liquor or any drug or any combination thereof, or while the ability to operate a vehicle is impaired by the consumption of intoxicating liquor; for manslaughter when an automobile is involved, or for operating a motor vehicle equipped with a smoke screen. Each notice issued pursuant to this section shall inform the respondent of the effective date of the notice and the right to a hearing.

- 3) Section 309, HEARINGS ON PROPOSED SUSPENSIONS AND REVOCATIONS, is amended by adding new subsections 309.11 and 309.12 to read as follows:

309.11 If, at the end of a hearing, revocation is ordered, the Director may condition the reinstatement of a license on the successful completion of a state-certified drug or alcohol counseling program, whichever is applicable.

309.12 Where a revocation or suspension is stayed under the circumstances provided for in § 13 of the District of Columbia Traffic Adjudication Act of 1925, effective March 3, 1925 (43 Stat. 1125; D.C. Official Code § 50-1403.01), and the respondent schedules a hearing but fails to appear on the date and time scheduled, the stay shall be lifted as of that date and time.

C. Chapter 4, MOTOR VEHICLE TITLE AND REGISTRATION, is amended as follows:

- 1) Subsection 413.12 is amended by renumbering existing paragraph (d) as paragraph (e) and adding a new paragraph (d) to read as follows:

(d) The applicant's social security number; and

- 2) Section 430, VERIFICATION OF INSURANCE INFORMATION, subsection 430.6 is amended to read as follows:

430.6 Any notice of cancellation, expiration or termination sent pursuant to § 430.5 shall contain the following:

- (a) The full name and address of the insured;
- (b) The insurance policy number or binder number;
- (c) The expiration or termination date of the motor vehicle insurance policy;
- (d) The operator's permit number, if known, of the insured;
- (e) The tag numbers of the vehicles insured; and
- (f) Any other information the Director may require.

- 3) A new subsection 430.11 is added to read as follows:

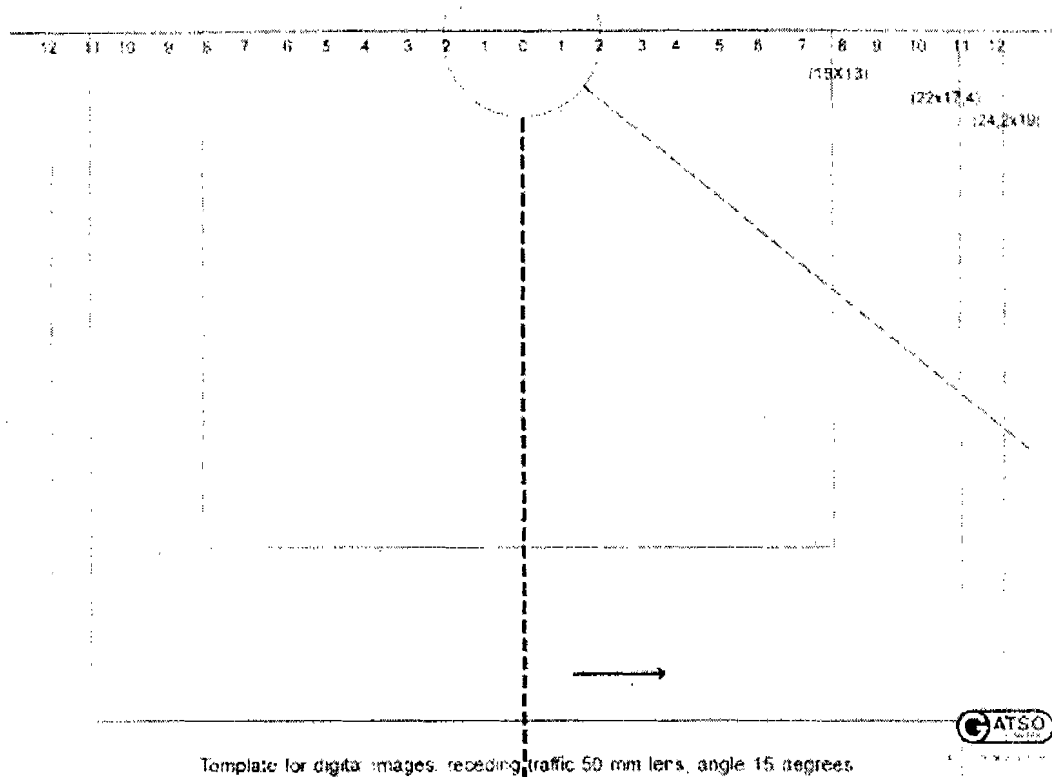
430.11 The notices required by §§ 430.5 shall be submitted or transmitted in electronic files, following the procedures for such submissions or transmissions established by the Department.

D. Chapter 8, SAFETY RESPONSIBILITY, Section 806, CANCELLATION OR TERMINATION OF A CERTIFIED POLICY, is repealed.

E. Chapter 10, PROCEDURES FOR ADMINISTRATIVE HEARINGS, Section 1035 is amended as follows:

- 1) Section 1035 is renamed "AUTOMATED TRAFFIC ENFORCEMENT".

- 2) Subsection 1035.3 is amended by striking the phrase "in the upper" and inserting "or T on the" in its place.
- 3) Subsection 1035.4 is repealed.
- 4) Subsection 1035.5 is amended by inserting the following image, to be included at the end of the subsection:



- 5) New subsections 1035.6 through 1035.11 are added as follows:

- 1035.6 An owner who answers a notice of infraction by submitting an affidavit furnishing the name, address, and driver's license number of the person claimed to have had custody, care, or control of the vehicle at the time of the infraction shall remain liable for the infraction if the Director or a hearing examiner determines that any or all of the information furnished is inaccurate.
- 1035.7 For the purposes of § 1035.6, any notice sent to the address provided in the affidavit and returned as undeliverable shall establish that the owner submitted inaccurate information.

- 1035.8 For the purposes of § 1035.6, any driver's license number submitted that, based on the records of the Department of Motor Vehicles or information in the Washington Area Law Enforcement System, does not match the name provided shall establish that the owner submitted inaccurate information.
- 1035.9 A respondent determined to have submitted inaccurate information shall receive written notice of the determination and be afforded an opportunity to amend their answer, either by admitting the offense through the payment of the applicable fine or by denying the infraction and requesting a hearing. A respondent may not submit any further affidavits as part of their answer, but may seek to demonstrate at the hearing, by a preponderance of evidence, that another had custody, care, or control of the vehicle at the time of the infraction or any other available defense.
- 1035.10 The notice issued under 1035.9 shall constitute a new notice of infraction, which shall be answered in accordance with the time periods applicable to the initial notice of infraction.
- 1035.11 Nothing in this section shall preclude the Department from requesting that the respondent be criminally prosecuted for perjury.

F. Chapter 26, Section 2600, CIVIL FINES FOR MOTOR VEHICLE MOVING INFRACTIONS, is amended by striking the citation "§ 2220.1" appearing under the heading "Noise", and inserting "§ 2221.1" in its place.

All persons desiring to comment on the subject matter of this proposed rulemaking should file comments, in writing, to Corey Buffo, General Counsel, D.C. Department of Motor Vehicles, 65 K Street, N.E., Room 210, Washington, D.C. 20002. Comments must be received not later than thirty (30) days after the publication of this notice in the *D.C. Register*. Copies of this proposal may be obtained, at cost, by writing to the above address.

## DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

NOTICE OF PROPOSED RULEMAKING

The Board of Directors of the District of Columbia Water and Sewer Authority ("the Board"), pursuant to the authority set forth in section 216 of the Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996, effective April 18, 1996 (D.C. Law 11-111, §§ 203(3), (11) and 216; D.C. Code §§ 34-2202.03(3), (11) and 34-2202.16, and Section 6(a) of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1206; D.C. Code § 2-505(a), hereby gives notice of its intention to amend Chapter 1 of the Water and Sanitation Regulations to adopt: a new Right of Way / Pilot Fee; and establish new monthly fees for fire service meters. Final rulemaking action shall be taken in not less than thirty (30) days from the date of publication of this notice in the D.C. Register.

**I. Timing of Final Action on Proposed Rulemaking**

No final action will be taken on the Rulemaking Proposal described in this notice until after each of the following events has occurred:

1. A public hearing is held to receive comments on the proposed rulemaking. A hearing date will be determined at a later date, and will be published in the District of Columbia Register.
2. The public comment period on this rulemaking expires; and
3. The Board of Directors takes final action after public comments are considered.

**II. Rulemaking Proposal**

The following rulemaking action is proposed:

**Title 21 DCMR, Chapter 1 WATER SUPPLY, Section 112 FEES, subsection 112.5 RIGHT OF WAY OCCUPANCY FEE PASS THROUGH CHARGE is amended to read as follows:**

**112.5 RIGHT OF WAY OCCUPANCY FEE PASS THROUGH CHARGE / PILOT FEE**

The Right of Way Occupancy Fee Pass Through Charge / Pilot Fee, assessed to recover the cost of fees charged by the District of Columbia to the Water and Sewer Authority for use of District of Columbia public space and rights of ways, shall be as follows:

Effective October 1, 2005 the Right of Way Occupancy Fee Pass Through Charge / Pilot Fee of Thirty-Six cents (\$.36) for each One Hundred Cubic Feet (100ft<sup>3</sup>) of water used shall be increased to forty-two cents (\$.42) for each One hundred Cubic Feet (100ft<sup>3</sup>) of water used.

**Title 21 DCMR, Chapter 1 WATER SUPPLY, Section 112 FEES, subsection 112.4 "METERING FEES" is amended by adding a new subsection 114.4.1 "METERING FEE FOR FIRE SERVICE METERS" to read as follows:**

**114.4.1 METERING FEE FOR FIRE SERVICE METERS**

Effective October 1, 2005 the Monthly Fees for fire service meters shall be as follows:

Four Inch Meters	\$ 79.35
Six Inch Meters	\$213.18
Eight Inch Meters	\$230.64

If the proposed rulemaking is adopted, the rules will replace existing rules adopted by the Board. Final rulemaking action shall be taken in not less than thirty (30) days from the date of publication of this notice in the D.C. Register.

Comments on these proposed rules should be submitted, in writing, no later than thirty (30) days after the date of publication of this notice in the D.C. Register to, Linda R. Manley, Secretary to the Board, District of Columbia Water and Sewer Authority, 5000 Overlook Ave., S.W., Washington, D.C., 20032.

**In addition, although not required the Board will also receive comments on these proposed fees at a public hearing to be held at a later date.**

## DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

NOTICE OF PROPOSED RULEMAKING

The Board of Directors of the District of Columbia Water and Sewer Authority ("the Board"), pursuant to the authority set forth in section 216 of the Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996, effective April 18, 1996 (D.C. Law 11-111, §§ 203(3), (11) and 216; D.C. Code §§ 34-2202.03(3), (11) and 34-2202.16, Section 6(a) of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1206; D.C. Code § 2-505(a), and in accordance with 21 DCMR Chapter 40, hereby gives notice of its intention to amend Chapter 41 of the Water and Sanitation Regulations to adopt new retail water and sewer rates. Final rulemaking action shall be taken in not less than thirty (30) days from the date of publication of this notice in the D.C. Register.

**I. Timing of Final Action on Proposed Rulemaking**

No final action will be taken on the Rulemaking Proposal described in this notice until after each of the following events has occurred:

1. A public hearing is held to receive comments on the proposed rulemaking. A hearing date will be determined at a later date, and will be published in the District of Columbia Register.
2. The public comment period on this rulemaking expires; and
3. The Board of Directors takes final action after public comments are considered.

**II. Rulemaking Proposal**

The following rulemaking action is proposed:

**Title 21 DCMR, Chapter 41 RETAIL WATER AND SEWER RATES, Section 4100 RATES FOR WATER SERVICE, subsection 4100.3 is amended to read as follows:**

**CHAPTER 41 RETAIL WATER AND SEWER RATES****4100 RATES FOR WATER SERVICE**

**4100.3** The retail rate for metered water service of One Dollar and Eighty-Three Cents (\$1.83) for each One Hundred Cubic Feet (100ft<sup>3</sup>) of water used shall be:

- a) Effective October 1, 2005, increased from One Dollar and Eighty-Three Cents (\$1.83) for each One Hundred Cubic Feet (100ft<sup>3</sup>) of water used to One Dollar and Ninety-Four Cents (\$1.94) for each One Hundred Cubic Feet (100ft<sup>3</sup>) of water used;

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**Title 21 DCMR, Chapter 41 RETAIL WATER AND SEWER RATES, Section 4101 RATES FOR SEWER SERVICE, subsection 4101.1 is amended to read as follows:**

**4101 RATES FOR SEWER SERVICE**

**4101.1** The retail rate for sanitary sewer service of Two Dollars and Seventy-Six Cents (\$2.76) for each One Hundred Cubic Feet (100ft<sup>3</sup>) of water used shall be:

- a) Effective October 1, 2005, increased from Two Dollars and Seventy-Six Cents (\$2.76) for each One Hundred Cubic Feet (100ft<sup>3</sup>) of water used, to Two Dollars and Ninety-Three Cents (\$2.93) for each One Hundred Cubic Feet (100ft<sup>3</sup>) of water used.

If the proposed rulemaking is adopted, the rules will replace existing rules adopted by the Board at its meeting of Sept. 2, 2004. Final rulemaking action shall be taken in not less than thirty (30) days from the date of publication of this notice in the D.C. Register.

Comments on these proposed rules should be submitted, in writing, no later than thirty (30) days after the date of publication of this notice in the D.C. Register to, Linda R. Manley, Secretary to the Board, District of Columbia Water and Sewer Authority, 5000 Overlook Ave., S.W., Washington, D.C., 20032.

**In addition, the Board will also receive comments on these proposed rates at a public hearing to be held at a later date.**

## DISTRICT OF COLUMBIA TAXICAB COMMISSION

**NOTICE OF PROPOSED RULEMAKING**

The District of Columbia Taxicab Commission ("Commission"), by its Panel on Rates and Rules, pursuant to the authority set forth under sections 8(b)(1)(G) and 9(b) of the District of Columbia Taxicab Commission Establishment Act of 1985, effective March 25, 1986, (D.C. Law 6-97; D.C. Official Code §§ 50-307(b) (1)(G), and 50-308(b)), hereby gives notice of its proposed rulemaking action taken January 4, 2005, to amend § 601 of Chapter 6 of Title 31 of the District of Columbia Municipal Regulations ("DCMR"). An initial notice of proposed rulemaking was published in the *DC Register* on September 3, 2004, at 51 DCR 8668. A public hearing was held on October 5, 2004, and comments were received by the Commission and taken into consideration. On January 4, 2005, the Commission decided to make additional changes to the proposed rulemaking prior to its adoption as a final rulemaking. The Commission proposed to delete the following language "to open or close for the entrance and exit of passengers," and to include additional language specifying the number of passengers that a minivan will accommodate. Final rulemaking action shall not be taken in less than thirty (30) days from the date of publication of this notice in the D.C. Register.

Title 31 DCMR, Section 601, PARTS AND EQUIPMENT, is amended to read as follows:

**601 PARTS AND EQUIPMENT**

- 601.1 Each taxicab under § 31(d) of the License Act (D.C. Official Code § 47-2829(d) (2001)) shall be a sedan, station wagon, or minivan, and shall be equipped with at least two (2) rear doors in addition to the door or doors which give access to the driver's seat. All passenger doors shall be so constructed that they will remain securely fastened during normal operation, but may be readily opened by a passenger in case of emergency. A minivan shall accommodate five (5) passengers and a taxicab operator.

Any person desiring to file written comments on the Panel's proposed rulemaking action must do so not later than thirty (30) days after the publication of this notice in the District of Columbia Register. Comments should be filed with Kimberly A. Lewis, Attorney Advisor and Secretary, District of Columbia Taxicab Commission, 2041 Martin Luther King, Jr., Avenue, S.E., Suite 204, Washington, D.C. 20020. Copies of the proposed rulemaking may be obtained by writing to the above address.

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**Child and Family Services Agency****Notice of Emergency and Proposed Rulemaking**

The Director of the Child and Family Services Agency ("CFSA"), acting pursuant to § 2(o) of the Child and Family Services Agency Establishment Amendment Act of 2000, effective April 4, 2001, D.C. Law 13-277, D.C. Official Code § 4-1303.03(a-1), (10), (12) (2001) and § 4 of the Youth Residential Facilities Licensure Act of 1986, effective August 13, 1986, D.C. Law 6-139, D.C. Official Code § 7-2103 (2001), hereby gives notice of her intent to amend Chapter 60 of Title 29 DCMR, "Foster Homes", by adding a new § 6027, by renumbering §§ 6027 through 6031 as §§ 6028 through 6032, respectively, by striking and inserting in its place a defined term in § 6099, and by adding two new defined terms to § 6099. The new section and its accompanying new definitions will permit the issuance of a temporary license to operate a foster home to certain kin.

The emergency that creates the need for this rule change is the immediate need to protect foster children by making possible their expedited placement with kin in studied and licensed foster homes. When a child must be removed from her or his home because of abuse or neglect, the child's immediate health, safety and welfare require the District to locate and place the child as quickly as possible in out-of-home placement that meets the child's specific, individual needs. For many children, kin (whether relatives or unrelated persons with longstanding ties to the child or family) who can bring the child into their home are the placement best suited to meet the child's urgent needs. However, the child's immediate protection also requires that before a child is placed in any out-of-home placement, both the caregiver (kin) and the home be studied and licensed. When the potential caregiver is kin to the child, however, the child's urgent needs can be protected with an initial and temporary licensing process that examines criminal, child protection and health histories, as well as the home itself, permits a temporary license if those are satisfactory, and requires the full panoply of protections set forth in Ch. 62 to be undertaken for a non-temporary license.

Notice of Emergency and Proposed Rulemaking was originally published in the March 26, 2004 D.C. Register (51 DCR 3311). As a result of comments to the temporary licensing process, CFSA is making several changes to the rulemaking.

CFSA is clarifying the situations in which temporary licensing is permitted. In order to comply with federal requirements for the use of the Interstate Identification Index System (III), CFSA is clarifying that the temporary licensure process is only available in emergency situations, and defining those situations.

CFSA is also clarifying that denial of a temporary license does not give rise to an administrative appeal. Because the temporary licensing process is an interim process towards receiving a license to operate a foster home, appeal rights would be exercised from a denial of the application to operate a foster home.

Lastly, CFSA received comments from the Gay and Lesbian Activists Alliance recommending

that § 6027.3(b)(1) of Chapter 60 of Title 29 DCMR of this rulemaking [§ 6021.2(b)(2) in the rulemaking published in the March 26, 2004 D.C. Register (51 DCR 3311)], be amended to read: "Is a relative of the foster child by blood, marriage, **domestic partnership** or adoption" [emphasis added]. This language is based on statute (§ 201(a) of The Adoption and Safe Families Amendment Act of 2004, effective June 27, 2000, D.C. Official Code § 4-1301.02(12) and (14) (2001)), and CFSA therefor declined to make this change. CFSA notes, however, its agreement that persons who are members of the child's network of familial relations should be considered kin for the purpose of temporary licensure. CFSA believes that this is accomplished by § 6027.3(b)(2) of Chapter 60 of Title 29 DCMR of this rulemaking (see also, § 201(a) of The Adoption and Safe Families Amendment Act of 2004, effective June 27, 2000, D.C. Official Code § 4-1301.02(12) and (14) (2001)).

The Director of CFSA also gives notice of intent to adopt these rules in not less than thirty (30) days from the date of publication of this notice in the D.C. Register.

The emergency rules were adopted and became effective on January 1, 2005. They will remain in effect for 120 days, or until publication of a Notice of Final Rulemaking in the D.C. Register, whichever occurs first.

29 DCMR Ch. 60 is amended as follows.

*A new § 6027 is added as follows:*

**6027            TEMPORARY LICENSE FOR KIN**

6027.1           CFSA may issue a temporary license to operate a foster home only if:

- (a) The applicant is kin to each foster child who would be placed in her or his home;
- (b) The applicant has submitted an application for a license to operate a foster home;
- (c) The applicant has:
  - (1) Received a satisfactory criminal records check from the Interstate Identification Index System of the National Crime Information Center (III);
  - (2) Applied for a criminal records check in accordance with § 6008 of this Chapter;
  - (3) Complied with the requirements of § 6009 of this Chapter concerning

- the Child Protection Register check;
- (4) Received a satisfactory safety assessment of the prospective foster home; and
- (5) Demonstrated the willingness and ability to provide a safe and secure environment for a foster child;

(d) All individuals eighteen (18) years of age or older residing in the prospective foster home have:

- (1) Received a satisfactory criminal records check from the III;
- (2) Applied for a criminal records check in accordance with § 6008 of this Chapter; and
- (3) Complied with the requirements of § 6009 of this Chapter concerning the Child Protection Register check; and

(e) There exist exigent circumstances as set forth in § 6027.2 of this Chapter.

6027.2 Exigent circumstances exist if a child who would be placed in the home if it had a temporary license:

- (a) Must be removed from her or his home immediately because of suspected or supported child abuse or neglect;
- (b) Is in CFSA's custody and must be removed from her or his placement immediately; or
- (c) Has been removed from her or his home because of child abuse and neglect; and
  - (1) A petition alleging neglect of the child has been filed before the Family Division of the Superior Court of the District of Columbia pursuant to D.C. Official Code § 16-2305; and
  - (2) A disposition of the neglect petition pursuant to D.C. Official Code § 16-2320 has not yet occurred.

6027.3 An applicant is kin to a foster child if the applicant is:

- (a) At least 21 years of age; and

(b) Either:

- (1) A relative of the foster child by blood, marriage, or adoption; or
- (2) Identified by a relative of the foster child by blood, marriage, or adoption, in a sworn affidavit, to have close personal or emotional ties with the foster child or the foster child's family, which pre-dated the foster child's placement with the individual.

6027.4 A temporary license:

- (a) Permits a foster home to operate prior to issuance of an annual license and while the foster parent(s) attempts to satisfy the requirements for a license; and
- (b) Expires in one hundred twenty (120) days from the date of the temporary license, unless renewed.

6027.5 A temporary license may be renewed once and for no more than ninety (90) days if the:

- (1) Applicant is making a good faith effort to comply with all elements of the foster home licensing process as set forth in this Chapter;
- (2) Renewal is needed to complete the licensing process;
- (3) Licensing process is not completed for a reason that is beyond the control of the applicant; and
- (4) Applicant has otherwise complied with the requirements of this Chapter.

6027.6 A temporary licensee under this section shall actively and promptly take all steps required for full licensure under this Chapter.

6027.7 A foster child who is not kin to the applicant may not be placed in a foster home that has a temporary license.

6027.8 Except as specifically set forth in § 6027, all sections of this Chapter shall apply to a foster parent or foster home that has a temporary license except that the denial of a temporary license shall not be grounds for an appeal pursuant to § 6032 of this Chapter.

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*The following sections and their subsections are renumbered as follows:*

Current section/subsections	Title	Renumbered as
6027	Licensing process	6028
6028	Denial of license or renewal	6029
6029	Annual re-evaluation and license renewal	6030
6030	Suspension or revocation of license	6031
6031	Appeal procedure	6032

*The definition of "applicant" is struck in its entirety, and the following definition is inserted in its place:*

**6099 DEFINITIONS**

"Applicant" -- the person(s) applying to be licensed as a foster parent, including as appropriate the person applying for a temporary license, under this Chapter.

*The following definitions are added to 29 DCMR § 6099 following the definition of "revocation".*

**6099 DEFINITIONS**

"Safety assessment" -- an assessment of an applicant's residence, including but not limited to its general physical environment, sanitation and external environment.

"Temporary license" -- a license to operate a foster home for a temporary period issued to a foster home that has complied with the requirements of § 6027 of this Chapter.

All persons desiring to comment on the subject matter of this proposed rulemaking should file comments in writing within 30 days after the date of publication of this notice in the D.C. Register. Comments should be filed with Sarah R. Kaplan, Assistant General Counsel, Child and Family Services Agency, 400 6<sup>th</sup> Street, S.W., Washington, DC 20024. Copies of these proposed rules may be obtained without charge at this address.